

III. REMARKS

"Telephony has been amended to the body of the claims as requested by the Examiner. It is therefore submitted that the claims are no longer objectionable.

Claims 1-9 are not unpatentable under 35 U.S.C. 103(a) over Kishimoto in view of Layton.

The claimed invention is a method for accessing a content provider, which maintains user identity security. To achieve this, the method of claim 1 comprises "...the gateway accesses the user-related recording through a second isolating user identifier...said isolating identifier isolating said first user identifier from said content provider to preserve user identity security..." (see p. 4, ll. 5-7).

Kishimoto is for the problem of authentication not isolation. More importantly, it totally fails to disclose an isolating identifier. Thus, it cannot provide user ID security.

Layton is for the problem of augmented audio reality and not that of user identity security as is the presently claimed invention. The Examiner has cited its disclosure of credit card numbers as an isolating identifier. However, note that this allows "...the service provider to locate the user in physical spaces" (Col. 8, ll. 42-43). This, and the fact that credit card numbers can be used to identify the holder and may not be secure, means that user identity security is not preserved as recited in present claim 1.

Hence, even if the references are combined, the result is not the claimed invention.

Further, in KSR Int'l Co. v. Teleflex, Inc., 82 USPQ2d 1385 the Supreme Court has stated:

Often, it will be necessary...to look to interrelated teachings of multiple patents; the effects of demands known to the design community or present in the marketplace; and the background knowledge possessed by

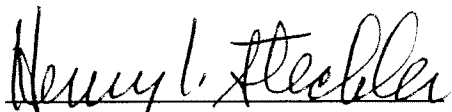
a person having ordinary skill in the art, all in order to determine whether there was an **apparent** reason to combine the known elements in the fashion claimed by the patent at issue. To facilitate review, this analysis **should be made explicit.** (p. 1396)

Here, the Examiner has simply stated that the cited references are in analogous arts. It is respectfully submitted that this is insufficient reason to combine the references since the objects of the references are totally different. Thus there is no reason to combine the references in the first place.

For all the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

The Commissioner is hereby authorized to charge payment of \$120 for a one month extension of time fee and for any additional fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


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I hereby certify that this correspondence is being transmitted electronically, on the date indicated below, addressed to the Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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